



Privacy & Civil Liberties Oversight Board

To: Members, Privacy and Civil Liberties Oversight Board
From: Claire McKenna, Legal Counsel
cc: **Susan Reingold**, Chief Administrative Officer
Re: PCLOB-D-11-2013: FOIA Reference Guide

DECISION REQUIRED

Approval of a FOIA Reference Guide.

BACKGROUND

The Freedom of Information Act, 5 U.S.C. 552, requires that agencies promulgate regulations to implement agency FOIA procedures. The Board approved of a Notice of Proposed Rulemaking for its FOIA procedures at its March 5, 2013 meeting. The NPRM was submitted to the Federal Register for publication on May 1, 2013. Staff expects the NPRM to appear in the Federal Register during the week of May 6.

In addition to regulations, the FOIA, 5 U.S.C. § 552(e), requires agencies to make available to the public “reference material or guidance” that includes:

- (1) an index of all major information systems of the agency;
- (2) a description of major information and record locator systems maintained by the agency; and
- (3) a handbook for obtaining various types and categories of public information from the agency.

DECISION

The Board approves the attached FOIA Reference Guide.

Approved by notational procedures.

Board Member	Yes	No
Rachel Brand	X	
Elisebeth Collins Cook	X	
James X. Dempsey	X	
Patricia Wald	X	

Approved by the Board (effective May 9, 2013)

Certified by: Claire McKenna
Claire McKenna
Legal Counsel